

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1( b)**

Denise Carlon, Esquire  
KML LAW GROUP, P.C.  
701 Market Street, Suite 5000  
Philadelphia, PA 19106  
U.S. Bank National Association, as Trustee, for  
Structured Asset Mortgage Investments II Inc., Prime  
Mortgage Trust. Certificates. Series 2005-5

In Re:  
Gary Heffley

DEBTOR(S),



Order Filed on April 4, 2023  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No: 22-19014 KCF

Chapter: 7

Hearing Date: April 4, 2023

Judge: Kathryn C. Ferguson

**ORDER VACATING STAY**

The relief set forth on the following page is hereby ordered **ORDERED**.

**DATED: April 4, 2023**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

Upon the motion of U.S. Bank National Association, as Trustee, for Structured Asset Mortgage Investments II Inc., Prime Mortgage Trust, Certificates, Series 2005-5, under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant, to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

**Land and premises commonly known as 260 Heritage Drive, Brick NJ 08723**

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Mortgage and pursue its State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

*rev. 7/12/16*

In re:  
Gary W. Heffley  
Debtor

Case No. 22-19014-KCF  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0312-3  
Date Rcvd: Apr 04, 2023

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 06, 2023:

Recip ID	Recipient Name and Address
db	+ Gary W. Heffley, 260 Heritage Dr, Brick, NJ 08723-6507

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 06, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 4, 2023 at the address(es) listed below:

Name	Email Address
Aleisha Candace Jennings	on behalf of Creditor U.S. Bank National Association as Trustee, for Structured Asset Mortgage Investments II Inc., Prime Mortgage Trust, Certificates, Series 2005-5 ajennings@raslg.com
Brian Thomas Crowley	on behalf of Trustee John Michael McDonnell bcrowley@mchfirm.com bcrowley@mcdonnellcrowley.com
Denise E. Carlon	on behalf of Creditor U.S. Bank National Association as Trustee, for Structured Asset Mortgage Investments II Inc., Prime Mortgage Trust, Certificates, Series 2005-5 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
John Michael McDonnell	on behalf of Trustee John Michael McDonnell jmcdonnell@mchfirm.com NJ95@ecfbis.com,bcrowley@mchfirm.com
John Michael McDonnell	jmcdonnell@mchfirm.com NJ95@ecfbis.com,bcrowley@mchfirm.com
U.S. Trustee	

District/off: 0312-3

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USTPRegion03.NE.ECF@usdoj.gov

Walter D. Nealy

on behalf of Debtor Gary W. Heffley nealylaw@gmail.com  
r43366@notify.bestcase.com;walterdnealy-pc-5pBm29TvkU@mycasemail.com;wdnlawcatina@gmail.com

TOTAL: 7